

# Order

**Supreme Court  
Lansing, Michigan**

October 6, 2005

129283

BRIAN J. McNAMARA,  
Plaintiff-Appellee,

v

TONI L. FARMER,  
Defendant-Appellant.

SC: 129283  
COA: 260575  
Luce CC: 99-002834-DP

Clifford W. Taylor,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

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On order of the Court, the application for leave to appeal the July 7, 2005 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and REINSTATE the order of the Luce Circuit Court. See *Girard v Wagenmaker*, 437 Mich 231 (1991); *Aichele v Hodge*, 259 Mich App 146 (2003).

CAVANAGH and KELLY, JJ., would grant leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 6, 2005

Corbin R. Davis  
Clerk